

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

NOTICE OF DOCUMENT DISCREPANCIES

FILED

08 AUG 22 PM 3:06

*This Office for
Clerk's Office File Stamp*

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
Burns

TO: ☐ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE

FROM: J. Paris,, Deputy Clerk

RECEIVED DATE: 8/15/08 *CFV*

CASE NO.: 08cv685 DOCUMENT FILED BY: Philip Bautista

CASE TITLE: Bautista v. Bank of America

DOCUMENT ENTITLED: Amended Complaint

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/>	Local Rule	Discrepancy
<input type="checkbox"/>	5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/>	5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/>	5.4	Document not filed electronically. Notice of Noncompliance already issued.
<input type="checkbox"/>	7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/>	7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/>	7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/>	7.1	Missing table of contents
<input type="checkbox"/>	15.1	Amended pleading not complete in itself
<input type="checkbox"/>	30.1	Depositions not accepted absent a court order
<input type="checkbox"/>		Supplemental documents require court order
<input type="checkbox"/>		Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/>		<u>OTHER: Case closed and amended complaint requires leave of court</u>

Date forwarded: 8/15/08

ORDER OF THE JUDGE / MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

- ☐ The document is to be filed nunc pro tunc to date received. *This action was dismissed on 6/18/08 for lack of jurisdiction.*
- ☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☐ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: DARRY ALAN BURNS

U.S. DISTRICT JUDGE

Dated: August 20, 2008
cc: All Parties

By: Larry A. Burns

FILED

REJECTED

Philip Bautista, Pro per
4846 Seawater Lane
San Diego California 92154
Phone: 619 661-0651

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

Philip Bautista,)	
Plaintiff,	)	CASE NO.08-CV-0685 BEN LDP
)	
vs.	)	COMPLAINT FOR DAMAGES FOR
)	
BANK OF AMERICA, N.A.	)	1. VIOLATION OF 26 USCA 2605
	)	2. VIOLATION OF 15 USCA 1602
Defendant.	)	3. Violation of 15 USCA 1892
	)	and CALIFORNIA CIVIL CODE
	)	§ 1788
	)	4. BREACH OF FIDUCIARY DUTY
	)	5. BREACH OF CONTRACT
	)	6. INJUNCTIVE RELIEF
	)	7. FRAUD
	)	8. CLAIM FOR RECOUPMENT
	)	9. QUIET TITLE
	)	10. DECLARATORY RELIEF

COME NOW the Plaintiff, PHILIP BAUTISTA, pro-se, and sues
Defendant BANK OF AMERICA (hereinafter "BANK") and as grounds
therefore alleges:

PRELIMINARY STATEMENT

1. This Complaint is filed under various Federal questions
arising under the United States Code including but not limited to
12 USCA § 2605 the Real Estate Settlement Procedures Act (RESPA)